

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 646 by Representative Talbot

EMPLOYMENT: Provides for the verification of citizenship for employment

Synopsis of Senate Amendments	
1.	Increases the civil penalty for hiring an illegal alien <u>from</u> \$250 <u>to</u> \$500 on a 1 st violation, <u>from</u> \$500 <u>to</u> \$1000 on a 2 nd violation, and <u>from</u> \$1000 <u>to</u> \$2500 on a 3 rd violation.
2.	Deletes the provision that provides for the suspension of the license to do business in the state of employers for a 2 nd violation, leaving only the heightened fine as the penalty.
3.	Changes the term of the suspension of a business license on a 3 rd violation <u>from</u> "not less than six months" <u>to</u> "not less than thirty days nor more than six months".
4.	Provides that the civil penalties for hiring an illegal alien shall not apply to any healthcare facility or entity licensed by DHH. Further provides that these entities shall be governed by the licensing statutes and rules in place for the suspension of licenses.

Digest of Bill as Finally Passed by Senate

Present law prohibits an employer from hiring an alien who is not entitled to lawfully reside or work in the U.S. and provides civil penalties for violations.

Proposed law retains present law.

Present law (R.S. 23:992.2) prohibits prosecution of an employer who verifies citizenship of his employees by requiring every employee to present a picture ID as well as a U.S. birth certificate, naturalization certificate, alien registration receipt card, or U.S. immigration form I-94.

Proposed law adopts the provisions of present law (R.S. 23:992.2) to also apply to civil investigations of violations and further provides that the employer may use either a picture ID in addition to a U.S. birth certificate, naturalization certificate, alien registration receipt card, or U.S. immigration form I-94, or utilize the federal E-Verify system to determine employment eligibility.

Proposed law further provides that any employer who relies on the E-Verify system for the verification of employment eligibility of an employee shall not be penalized for any error that results in the employment of a person unauthorized to work in the U.S.

Present law provides that the executive director of the La. Workforce Commission shall enforce present law and shall impose the following civil penalties on noncompliant businesses: a fine of not more than \$250 for each alien employed upon a 1st violation, upon a 2nd violation, a fine of not more than \$500 for each alien employed, and upon a 3rd or subsequent violation, a fine of not more than \$1,000 for each alien employed.

Proposed law heightens the penalties for violations, changing the fine on a 1st violation from \$250 to \$500, on a 2nd violation, changes the fine from \$500 to \$1000, and adds an additional penalty for a 3rd violation, which is a suspension of a party's permit or license to do business for not less than 30 days nor more than 6 months, as well as increasing the fine from \$1000

to \$2500.

Proposed law provides that the penalties in proposed law shall not apply to any healthcare facility or entity licensed by DHH, and that DHH shall follow the applicable licensing statutes and rules for suspension of licenses.

(Amends R.S. 23:995)